



Planning and Development Department

ZONING BOARD OF ADJUSTMENT: INFORMATION AND GUIDELINES

- JURISDICTION:** The Board of Adjustment is a citizen court appointed by the City Council to hear an appeal and request for: **Variances, Special Exceptions, and Interpretations of the Zoning Ordinance.**
- WHO MAY APPLY:** The owner of the property under consideration, or a person having a written authorization from and representing the owner, may apply for a Variance or Special Exception to the Zoning Board of Adjustment.
Anyone aggrieved by an Interpretation of the Zoning Ordinance, rendered by a City Official, may appeal such decision to the Zoning Board of Adjustment.
- WHERE TO APPLY:** Planning and Development Department-Appeals, (Lower Level in the Northeast corner of the building), City Hall, 1000 Throckmorton Street, Fort Worth, Texas 76102.
- WHEN TO APPLY:** Application for an appeal must be filed by the scheduled filing deadline, which is approximately 30 days prior to the Public Hearing.

2015 COMMERCIAL AND RESIDENTIAL FILING DEADLINES (4:00pm).....HEARING DATES

December 15, 2014.....	January 21, 2015
January 16.....	February 18
February 16.....	March 18
March 16	April 15
April 20	May 20
May 18	June 17
June 15	July 15
July 20.....	August 19
August 17	September 16
September 21.....	October 21
October 19.....	November 18
November 16	December 16
December 21, 2015.....	January 20, 2016

- HEARING DATE:** **COMMERCIAL BOARD:** Third Wednesday of each month at 10:00 a.m.
RESIDENTIAL BOARD: Third Wednesday of each month at 1:30 p.m.
LOCATION: Council Chamber, 2nd Floor, City Hall, 1000 Throckmorton St, Fort Worth, 76102.
- FILING FEES:**
- | | | | |
|--------------------------------|-------|------------------------------------|-------|
| Commercial Special Exception | \$750 | Residential Special Exception (SE) | \$400 |
| Commercial Variance | \$500 | Residential Variance | \$300 |
| Commercial Additional Variance | \$ 75 | Non-Owner Occupied SE/Variance | \$500 |
| Interpretation | \$400 | Residential Additional Variance | \$ 75 |
| Continuance | \$200 | | |

Non-Owner Occupied Case(s) includes rental property and pending purchases. Deed or binding proof of ownership must be submitted with the Variance or Special Exception request.

NOTE: Additional fees may be applicable upon full review of the application request. **All fees must be paid at the time of application filing.** Upon Board approval of a request, a separate application and fee is required for processing a building permit.

HEARING PROCESS:	<p>The applicant, or authorized agent, must be present at the hearing to present the appeal. If not, the Board may DENY the case. The Planning and Development Department is required to mail a hearing notice to all property owners within 300' of the application site, not less than ten days before the hearing date.</p> <p>To watch the Hearings: http://www.fortworthtexas.gov/, click on "Watch online Now" & "Board of Adjustment video."</p>
APPLICANT'S RESPONSIBILITY:	<p>Applicants are responsible for the presentation of their case before the Board and to provide support information including, but not limited to the following items:</p> <ul style="list-style-type: none"> ▪ Surrounding land use supporting the request. ▪ Description of the "Hardship(s)" that necessitate the request. (See <i>Zoning Ordinance No. 13896, Sect. 3.403.1-5</i>) ▪ Reason(s) for appearing before the Board (i.e. code violation, citizen complaint, Building Inspector noted permit violation, etc.) ▪ Reasons why the Board should grant the applicant's request.
CRITERIA REGULATING VARIANCE REQUESTS:	<p>Sect. 3.403 of the Zoning Ordinance establishes the evaluation criteria for consideration by the Board, when reviewing and deciding upon requested variances to the Zoning Ordinance. The applicant is therefore encouraged to respond to these criteria, upon addressing the Board:</p> <ol style="list-style-type: none"> 1. Will literal enforcement of the ordinance result in a "hardship" or "practical difficulty"? 2. Is the "hardship" self-imposed? 3. Is the condition unique to the property, or is it common to other properties in the area? 4. Will the requested variance injure the adjacent property? 5. Will the requested variance be contrary to orderly development in the area?
WITHDRAWAL OF CASE:	<p>The applicant may withdraw their case without penalty, before public notice has been filed. A request for withdrawal shall be submitted in writing. Upon receipt, all proceedings will terminate.</p> <p>If the application is withdrawn after public notice advertisement, no re-application of like nature will be accepted within a 24-month period. If "Denied Without Prejudice" and the original applicant finds substantial or significant changes have occurred in the project during the prescribed 24-month waiting period, then a written re-application may be submitted, with a waiver requested relaxing all or part of the 24-month period.</p>
BOARD DECISION:	<p>At the conclusion of the public hearing, the Board will render a decision to: <i>approve, approve with conditions, continue, deny, or deny without prejudice.</i> <u>*Applicants with approved variances are allowed 180 days to obtain a building permit.</u></p> <p><i>*(A one-time extension may be obtained upon written request to the Senior Planner.)</i></p>
APPEAL OF DECISION:	<p>Any person aggrieved by a decision of the Board may, within ten (10) days following the date the Board's Decision is filed for record in the City Planning and Development Department, submit a verified petition to any court of law having legal jurisdiction, setting forth that the Board's decision is illegal, either in whole or in part, and specifying the grounds of the illegality.</p>
OTHER REGULATORY CONSIDERATIONS:	<p>Decisions of the Board do not replace approvals required by any other agency or review body. Approval of a request does not negate any private legal recorded Restrictive Deed Covenants and Restrictions that may affect the property. The City does not enforce these private restrictions.</p>
Supplemental Information:	<p>Residential (817) 392-6138 / (817)392-8026 Commercial (817) 392- 8026 / (817) 392-6138 or FAX (817) 392-7526</p> <p>Log on: www.fortworthtexas.gov/PlanningandDevelopment</p> <p>Email for correspondence: boardofadjustment@fortworthtexas.gov</p>

**APPLICATION TO THE
ZONING BOARD OF ADJUSTMENT
CITY OF FORT WORTH, TEXAS**



Planning and Development

- ☐ Owner Occupied Variance (One and Two Family Homes) for Section _____
☐ Special Exception for Section _____
☐ Non-Owner Occupied Case for Section _____ ☐ Interpretation \$400

Zoning _____ HCLC Approval/Applied _____ NEZ Approval /Applied _____ Urban Village ☐

☐ Check if a City of Fort Worth INTERPRETER is needed to assist at the Board of Adjustment Hearing

Address of Premises affected: _____

Lot/Tract: _____ Block/Abstract: _____ Lot Size: _____

Legal Description: Addition/Survey: _____

PLEASE PROVIDE DETAILED SITE PLAN

Owner's Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Tele: () _____ Fax: _____ E-Mail _____

Applicant's Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Tele: () _____ Fax: _____ E-Mail _____

Explain Request: (Fully describe the existing conditions that make this request necessary.) _____

Status of Project: ☐ Existing ☐ Under Construction ☐ Proposed
Status of Property: ☐ Owner Occupied ☐ Leased or Rented ☐ (Non) Owner-Occupied

Previous Board of Adjustment Case filed on this property: ☐ Yes ☐ No
Date _____ Case Number(s) _____

Are there **similar situations** in the area? ☐ Yes ☐ No
Addresses: _____

Have you informed your Home Owners Association ☐ YES ☐ NO or Neighbors ☐ YES ☐ NO of the request?

Model Homes only: Is model home off an arterial street? ☐ YES ☐ NO

Provide a description of the existing and / or proposed physical property improvements relative to this case (i.e. materials, structure type and height, dimensions, etc.). In order to support your case, please supply and identify photos, where applicable.

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and extend across the width of the page. There are no margins, text, or other markings on the paper.

I certify that the information herein provided is true and correct to the best of my knowledge and belief, and that I, or my authorized representative, will cause this case to be presented in public hearing before the Zoning Board of Adjustment, unless I withdraw same prior to the City's posting of public notice. Should I initiate withdrawal after public notice is posted, I understand that the Board action shall constitute denial of the case, and the filing fee will be non-refundable. Further, no new application may be filed for hearing within 24 months of the date of Board denial or post-public notice withdrawal, unless the denial is without prejudice, or substantial changes have occurred in which to warrant a Board waiver of the 24-month mandatory re-application delay period. **ANY REQUIRED PERMITS MUST BE OBTAINED WITHIN 180 DAYS.**

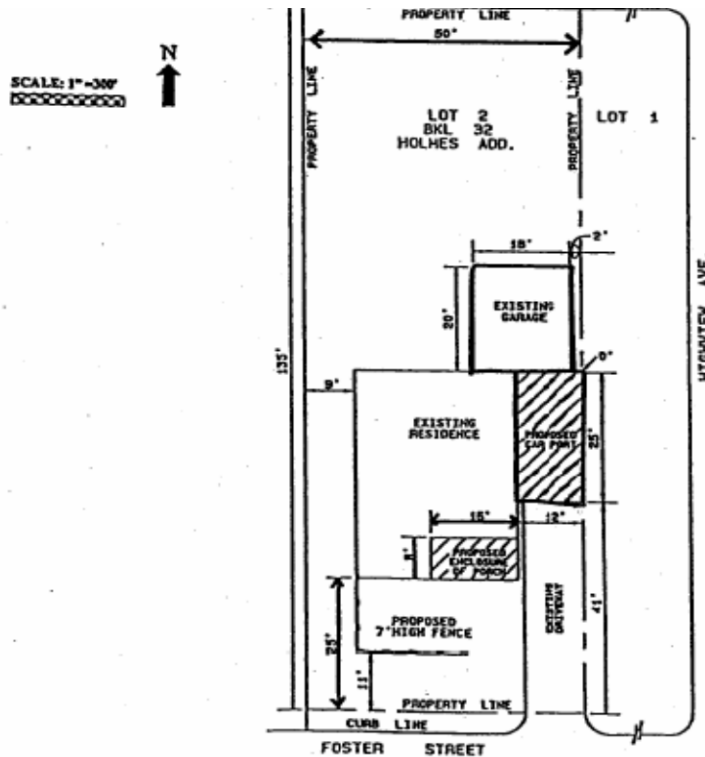
Signed by the Applicant / Owner or Agent

(Circle appropriate entity) _____ Date _____

DATE RECEIVED:	FEE AMOUNT PAID :	# OF REQUESTS:	RECEIVED BY:	CASE NO.
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1. Plan Sheet Size (8½"x11").
2. Site plans larger than 11"x14" may be taken to Reprographics for downsized version.
3. Use dark pencil or ink and print legibly.
4. Drawing must be to scale with graphic scale and North Arrow.
5. Identify and show all Property Lines and Lot Dimensions.
6. Show all existing buildings and structures with a *solid heavy line*, and all proposed requests with a *dashed line*.
7. Dimension the perimeter of all structures and provide square footage of each building/structure
8. Show the dimensional separation from each building/structure and distances to adjacent property lines.
9. Identify and label all adjacent streets, alleys, and access easements.
10. Show on-site parking areas with dimensions of parking spaces and maneuvering areas when it is applicable.
11. Provide a copy of the *subdivision plat* where the lot is located and a copy of the plot plan or survey map.
12. FRONT YARD FENCES – Require a Special Exception and must have a Support Petition. It is optional for all other projects.
13. SIGNAGE - Special Exception or Variance request(s) must have rejection letters prior to submitting.

SITE PLAN - EXAMPLE





Planning and Development

LETTER OF AUTHORIZATION

To the City of Fort Worth, Texas

Authority is hereby granted to _____
(Family Member, Friend, Company, etc, to represent you at the hearing)

Address City State Zip (Telephone)

to file in my/our behalf for Request for Variance from terms of the Zoning Ordinance or Special
Exception on the following described property.

(Address) _____

(Legal Description) _____

The Authority is granted only for the following specific request:

(Nature of Appeal) _____

The undersigned is the property owner of the above-described property.

The Authorization will remain in force until revoked by written notice.

Owner Signature: _____

Owner Print Name: _____

Address: _____

Telephone: _____

Accepted for Case No. _____

By _____

Date _____

BOA SUPPORT PETITION

CASE # (BAC / BAR – 15 - _____)

SUPPORT PETITION IS REQUIRED FOR SPECIAL EXCEPTION FRONT YARD FENCE/CARPORTS. OPTIONAL FOR ALL OTHER PROJECTS.
FIRMAS DE APOYO ES REQUERIDA SOLO PARA EXCEPCIONES ESPECIALES DE BARDAS/CARPORTS EN JARDIN ANTERIOR.

Explain the request(s). *Explique la(s) peticion(es)* .

DO NOT SIGN THIS SUPPORT PETITION IF THIS SECTION HAS BEEN LEFT BLANCK.
NO FIRME ESTA PETICION DE APOYO SI EL SOLICITANTE HA DEJAO ESTE RECUADRO EN BLANCO.

I have been informed of the Special Exception/Variance requested and I have NO objection...
He sido informado sobre la Excepcion Especial/Variante solicitada y NO me opongo...

Neighbor's Name	Signature	Address
1		
2		
3		
4		
5		
6		
7		
8		
9		